

COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR CONTINUATION-IN-PART APPLICATION

273012005120

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION

ENTITLED: PYROPHEOPHORBITES AND THEIR USE IN  
PHOTODYNAMIC THERAPY

the specification of which:

(check one) ☒ is attached hereto;  
☐ was filed on \_\_\_\_\_ as

Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_  
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE:

I ACKNOWLEDGE THE DUTY TO DISCLOSE INFORMATION WHICH IS MATERIAL TO THE EXAMINATION OF THIS APPLICATION IN ACCORDANCE WITH TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (a) which states: "A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application.";

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) set forth above which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

07/597,786

(Application Serial No.)

10/15/90

(Filing Date)

Pending

(Status)

(patented, pending, abandoned)

07/221,804

(Application Serial No.)

7/20/88

(Filing Date)

Patented

(Status)

(patented, pending, abandoned)

As to the subject matter of this application which is common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and that the earliest application(s) for patent or inventor's certificate on said invention filed by me or my legal representatives or assigns in any country foreign to the United States of America is identified below, as well as all other such applications (if any) filed more than twelve months prior to the filing date of this application:

None

The priority of the earliest application(s) (if any) filed within a year prior to said pending prior application is hereby claimed under 35 U.S.C. §119;

As to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States of America more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to the date of this application, and that the earliest application(s) for patent or inventor's certificate on said subject matter filed by me or my legal representatives or assigns in any country foreign to the United States of America is identified below, as well as all other such application(s) (if any) filed more than twelve months prior to the filing date of this application:

None

# **COMBINED DECLARATION AND POWER OF ATTORNEY FOR CONTINUATION-IN-PART APPLICATION**

Attorney Docket No.

273012005120

The priority of the earliest application(s) (if any) filed within a year prior to this application is hereby claimed under 35 U.S.C. §119;

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

William H. Benz - Reg. No. 25,952  
Karl Bozicevic - Reg. No. 28,807  
Thomas E. Ciotti - Reg. No. 21,013  
Kenneth M. Goldman - Reg. No. 34,174  
Gladys H. Monroy - Reg. No. 32,430

Kate H. Murashige - Reg. No. 29,959  
Dianne E. Reed - Reg. No. 31,292  
Roberta L. Robins - Reg. No. 33,208  
Paul F. Schenck - Reg. No. 27,253  
Debra A. Shetka - Reg. No. 33,309

and:

Address all correspondence to:

**MORRISON & FOERSTER**  
545 Middlefield Road, Suite 200  
Menlo Park, California 94025-3471

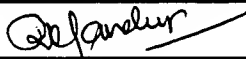
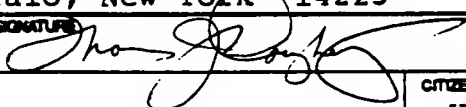
Address all telephone calls to:

Karl Bozicevic

415/677-6159

at ~~415/677-6159~~

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF SOLE OR FIRST INVENTOR	SIGNATURE	DATE
PANDEY, Ravindra K.		1-3-92
RESIDENCE	CITIZENSHIP	
Buffalo, New York NY	Indian	
POST OFFICE ADDRESS		
73 North Ellwood Avenue, Buffalo, New York 14223		
FULL NAME OF SECOND JOINT INVENTOR, IF ANY	SIGNATURE	DATE
DOUGHERTY, Thomas J.		12-19-91
RESIDENCE	CITIZENSHIP	
Grand Island, New York NY	U.S.A.	
POST OFFICE ADDRESS		
2306 W. Oakfield, Grand Island, New York 14072		
FULL NAME OF THIRD JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY	SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		

☐ Please see attached continuation page for additional inventors